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BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF THE APPLICATION
FOR AMENDMENT OF VEOLIA WATER
IDAHO CERTIFICATE OF PUBLIC
CONVENIENCE AND NECESSITY

Case No.:

DIRECT TESTIMONY OF KEN ACUFF
ON BEHALF OF THE CITY OF EAGLE
DECEMBER 19, 2023

Q. Please state your name and title.

A. My name is Ken Acuff. I am the Water Superintendent for the City of Eagle.

Q. Please summarize your professional experience and educational background.

A. I graduated from Green River Community College in Auburn, Washington, with an Associate degree in Mechanical Drawing.

I have been a licensed contractor in Idaho since the 1990's, when the State of Idaho first required licenses for contractors. I began excavating contractor work in 1972.

I also have current Water Distribution Operator Class II, Drinking Water Treatment Operator Class II, Wastewater Collection Operator Class I, Wastewater Treatment Operator Land Application, and Wastewater Treatment Operator Lagoon licenses issued by the State of Idaho.

My professional experience includes owning and operating Kenaco Excavation in Boise since 1972, during which time I gained expertise in sewer and water lines. I also spent five years as the Operator in Charge for the Meridian Heights Water & Sewer District.

I have been employed by the City of Eagle since 2014 as the Water Superintendent.

Q. What are your primary responsibilities as Water Superintendent?

A. I oversee the budget for the City's Water Department. I also coordinate and supervise staff projects and operations.

Q. What is the purpose of your testimony?

A. I will discuss the reason that the City of Eagle is requesting, with Veolia's cooperation as a co-applicant, to have the areas described in the Application as "Area 4" and the "Eagle Skate Park" removed from Veolia's CPCN, and the City's willingness and ability to provide reliable and affordable water service to the customers and property owners in those areas.

Q. Why is the City of Eagle seeking to have these areas removed from Veolia's CPCN now?

A. Pursuant to the February 9, 2021 Water Management Agreement between the City of Eagle and Veolia, attached to the Application as Attachment 1, the City is to work with Veolia in filing an application with the Commission to amend Veolia's CPCN, seeking to remove Area 4 and allow the City of Eagle to provide water service to the area. The application is required to be filed with the Commission by June 30, 2023, with a filing extension recognized in the Agreement until December 30, 2023 if the application is being pursued in good faith. In addition to Area 4, Veolia and the City have agreed to removal of the Eagle Skate Park, located within the City-owned Eagle Sports Complex, from Veolia's certificated service area. The City of Eagle is Veolia's only customer in this area. Due to the proximity of City-owned water infrastructure, the parties agree that it is in the public interest that all City-owned facilities within the Eagle Sports Complex be served by the City's municipal water system.

Q. Is the City of Eagle capable of providing water service to these areas, including existing Veolia customers?

A. Yes, the City owns and operates a municipal water system capable of serving both areas reliably and affordably. The areas are both included in the authorized service area, or place of use, for the City's water rights, recognized by the Idaho Department of Water Resources.

Area 4 encompasses the Bighorn Subdivision, the LDS Church located at 2090 N. Eagle Road, and 2 connections from the 12" mainline along Eagle Road. This area was previously served by Eagle Water Company prior to its acquisition by Veolia. This area includes 25 current Veolia customers based on a count of service connections. In addition, there are 4 Veolia fire hydrants, not including a private hydrant at the LDS church. As part of the removal of this area from Veolia's Certificated Service Area, the water system assets serving the current customers will be transferred to the City. The City will undertake the construction of modifications to Veolia's existing water system. The City's work will include compliance with any applicable regulations, including preliminary engineering report(s) approved by the Idaho Department of Environmental Quality. The existing water main serving Area 4 is located within Eagle Road from Floating Feather Road north to Rush Drive. The City has a parallel line located near the Floating Feather Road intersection served by the City's nearby well. The modifications would include disconnecting the Veolia water distribution system at Floating Feather Road and providing a connection in Eagle Road between the two existing water distribution mains. The City's water system is approximately 14 psi higher than the existing Veolia system. To maintain the pressures currently experienced by the existing customers, a Pressure Reduction Valve, or PRV, Station will be constructed at the intersection of Eagle Road and Rush Drive. Individual PRVs will be installed at the LDS Church and at an existing residence located at 1638 N. Eagle Road to maintain pressures. There is an additional existing service across from 1638 N. Eagle Road at 70 W. Floating Feather Road, in which the City of Eagle is the customer, but the need for a PRV is not anticipated. The design plans for the proposed modifications have already been prepared and are ready to bid for construction. The plans have already been reviewed by and accepted by Veolia, approved by DEQ and reviewed and accepted by Ada County Highway District. The approved plans are included in Attachment 6 to the Application.

The City owns the property and facilities located within the Eagle Sports Complex situated on the east side of Old Horseshoe Bend Road and north of Floating Feather Road. The Skate Park, owned by the City and located within the Eagle Sports Complex, is currently the only customer served by Veolia within this area. All other facilities within the Complex are served by the City's water system. The City has a 1 (one) MG water storage facility and large distribution mains within the Complex property that can easily serve the Skate Park. As part of the removal of this area from Veolia's Certificated Service Area, the water system assets currently serving the area will be transferred to the City. The removal of the Skate Park within the Eagle Sports Complex will require even less modification to the water distribution system than the addition of Area 4. The two systems already have an intertie located at the intersection of Old Horseshoe Bend Road and Greenbrook Street, which is the entrance to the Eagle Sports Complex. The intertie is currently isolated with closed valves. The modifications would only include disconnecting the Veolia water distribution system at Floating Feather Road and opening the intertie valves when necessary, as depicted in Attachment 7 to the Application.

Q. What is the capacity of the City's water system?

A. Both areas proposed for removal from Veolia's certificated service area will be served by the City's eastern water system. The City's eastern water system consists of two wells with the capacity to pump approximately 1,500 gallons per minute and a 1MG concrete storage tank. To determine the capacity of the existing system, the Idaho Department of Environmental Quality requires that the system be evaluated with the largest source out of service. When the largest well is out of service, the water system capacity is estimated at 2,167 equivalent dwelling units. Currently, the City serves 1,397 connections which allows for an additional 770 connections. The City has the capacity to serve the 25 connections in Area 4 and the City's current facilities at the Skate Park.

Q. What are the City's current rates for water service?

A. The City's current monthly water rates are: A Base Monthly Fee of \$21.21; a Consumption Rate per 100 cubic feet of \$1.54; a Monthly Backflow Fee, if applicable, of \$0.50; a DEQ Loan Fee of \$10.93; a DEQ Water Safety Fee of \$0.34; for a Base Monthly Bill for a Residential Service of \$34.02, plus the \$0.50 Backflow Fee, if applicable.

Q. Will the City of Eagle be communicating with existing Veolia customers and property owners in these areas concerning the Application?

A. Yes, after filing the Application, the City and Veolia will mail a letter to existing customers and property owners in these areas. The letter informs them of the Application filing and where to obtain additional information. The letter is Attachment 10 to the Application in this matter.

Q. Do you have an opinion whether the requested removal of Area 4 and the Eagle Skate Park from Veolia's CPCN is in the public interest?

A. Yes, my opinion is that it would be in the public interest.

Q. Please explain.

A. As mentioned above, the proposed water service by the City of Eagle to these areas stems from the Water Service Agreement between the City and Veolia. This agreement settled expensive, protracted and complicated litigation. The current path of cooperation is far preferable for the parties and the communities that we serve. The City is ready, willing and able to serve Veolia's current customers in Area 4 and other area property owners who may request service in the future with reliable and affordable water supplies. Allowing the City to provide service for the City-owned Skate Park, as agreed to by the parties, is also in the public interest – and easily accomplished by the City.

Q. Does this conclude your testimony?

A. Yes, it does.